

ASSEMBLY BILL

No. 1103

Introduced by Assembly Members Obernolte and Ting
(Principal coauthor: Senator Wiener)
(Coauthors: Assembly Members Bloom, Chávez, and Kiley)

February 17, 2017

An act to amend Section 21200 of the Vehicle Code, relating to bicycles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1103, as introduced, Obernolte. Bicycles: yielding.

Existing law, subject to exceptions, provides that a person riding a bicycle or operating a pedicab upon a highway has all the rights and is subject to all the laws applicable to the driver of a vehicle. A violation of the Vehicle Code is punishable as an infraction.

This bill would, notwithstanding those provisions, authorize a person operating a bicycle approaching a stop sign, after slowing to a reasonable speed and yielding the right-of-way, to cautiously make a turn or proceed through the intersection without stopping, unless safety considerations require otherwise. The bill would require a person operating a bicycle to continuously signal an intention to turn right or left during the last 100 feet traveled before the turn, except as specified. Because this bill would impose a new requirement on bicycle operators, the violation of which would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21200 of the Vehicle Code is amended
2 to read:

3 21200. (a) A person ~~riding~~ *operating* a bicycle or operating a
4 pedicab upon a highway has all the rights and is subject to all the
5 ~~provisions laws~~ applicable to the driver of a vehicle by this
6 division, including, but not limited to, ~~provisions laws~~ concerning
7 driving under the influence of alcoholic beverages or drugs, ~~and~~
8 ~~by~~ Division 10 (commencing with Section 20000), Section 27400,
9 Division 16.7 (commencing with Section 39000), Division 17
10 (commencing with Section 40000.1), and Division 18 (commencing
11 with Section 42000), except those ~~provisions laws~~ which by their
12 very nature can have no application.

13 (b) (1) A peace officer, as defined in Chapter 4.5 (commencing
14 with Section 830) of Title 3 of Part 2 of the Penal Code, operating
15 a bicycle during the course of his or her duties is exempt from the
16 requirements of subdivision (a), except as those requirements relate
17 to driving under the influence of alcoholic beverages or drugs, if
18 the bicycle is being operated under any of the following
19 circumstances:

20 (A) In response to an emergency call.

21 (B) While engaged in rescue operations.

22 (C) In the immediate pursuit of an actual or suspected violator
23 of the law.

24 (2) This subdivision does not relieve a peace officer from the
25 duty to operate a bicycle with due regard for the safety of all
26 persons using the highway.

27 (c) *Notwithstanding subdivision (a), a person operating a bicycle*
28 *approaching a stop sign, after slowing to a reasonable speed and*
29 *yielding the right-of-way to any vehicle in the intersection or*
30 *approaching from another highway or street so closely as to*
31 *constitute an immediate hazard during the time the person is*
32 *moving across or within the intersection, may cautiously make a*
33 *turn or proceed through the intersection without stopping.*

1 *However, if required for safety, the person shall stop before*
2 *entering the intersection, and may proceed after yielding the*
3 *right-of-way.*

4 *(d) A person operating a bicycle pursuant to this section shall*
5 *continuously signal an intention to turn right or left during the*
6 *last 100 feet traveled before the turn, provided that a signal by*
7 *hand and arm need not be given if the hand is needed to control*
8 *or operate the bicycle.*

9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.